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To: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Fax: 571-273-8300

Pages: 4

From: John J. Prizzi
 724.539.5331 (Voice)
 724.539.5903 (Fax)
 John.Prizzi@Kennametal.com (e-mail)

Date: November 14, 2005

Our File: K-2108

Your File: Confirmation No. 5951

Re: Serial No. 10/733,166, Filed December 11, 2003
Original With
☒ Not Be Sent

☐ With Enclosures

☐ Be Sent First-Class/Air Mail

☐ Without Enclosures

☐ Be Sent via Overnight Delivery
Message:

Attached are the Request to Refund Issue Fee and Publication Fee (\$1,700) to Deposit Account No. 502867 as shown on PTOL-85 (copy attached) in Response to the Notice of Withdrawal From Issue under 37 CFR 1.313(b) mailed November 2, 2005 (copy attached), in re application of John J. Bellinger et al., Serial No. 10/733,166, filed December 11, 2003, for "Toolholder with Insert Clamp and Method for the Same," Confirmation No. 5951, Group Art Unit 3722, Examiner Willmon Friddle Jr.


 John J. Prizzi, Reg. No. 29,976

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NOV 15 2005**CONFIDENTIALITY NOTICE**

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Appl. No. 10/733,166
Request for Refund dated November 14, 2005
Reply to Notice of Withdrawal from Issue under 37 CFR 1.313(b)
Attorney Docket K-2106

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:
☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

☐ 37 C.F.R. section 1.8(a)
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☐ 37 C.F.R. section 1.10
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☒ transmitted by facsimile to the Patent and Trademark Office 571-273-8200.

Date: November 14, 2005

John J. Prizzi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
JOHN J. BELLINGER et al.

Serial No. 10/733,166

Filed: December 11, 2003

For: TOOLHOLDER WITH INSERT CLAMP
AND METHOD FOR THE SAME

)
) Group Art Unit 3722
) Confirmation No. 5951
)
) Examiner Willmon Fridie Jr.
)
) Attorney Docket K-2106
)

November 14, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR REFUND IN RESPONSE TO
NOTICE OF WITHDRAWAL FROM ISSUE UNDER 37 CFR 1.313(b)**

Honorable Sir:

Pursuant to the Notice of Withdrawal from Issue under 37 CFR 1.313(b), dated November 2, 2005, this is a request for a refund with respect to the charge to Deposit Account No. 502867, as shown on the attached copy of PTOL-85, for the above-identified patent application.

Respectfully submitted,

Kennametal Inc.
P. O. Box 231
Latrobe, PA 15650
(724) 539-5331 Phone
(724) 539-5903 Fax

John J. Prizzi
Attorney for Applicant(s)
Reg. No. 29,970
Date: November 14, 2005



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NOV -2 2005

In re Application of :
John J. Bellinger et al. :
Serial No. 10/733,166 :
Filed: December 11, 2003 :
For: TOOLHOLDER WITH INSERT CLAMP: :
AND METHOD FOR THE SAME :

NOTICE OF WITHDRAWAL
FROM ISSUE
UNDER 37 CFR 1.313(b)

The above-identified application is hereby withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 CFR 1.313(b)(3).

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to Boyer Ashley, SPE, Art Unit 3722 at (571) 272-4502. The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

Frederick R. Schmidt, Director
Technology Center 3700

Kennametal Inc.
P.O. Box 231
1600 Technology Way
Latrobe, PA 15650

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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10/03/2005

KENNAMETAL INC.
P.O. BOX 231
1600 TECHNOLOGY WAY
LATROBE, PA 15650

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

John J. Prizzi (Depositor's name)
(Signature)
October 31, 2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,166	12/11/2003	John J. Bellinger	K-2106	5951

TITLE OF INVENTION: TOOLHOLDER WITH INSERT CLAMP AND METHOD FOR THE SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	01/03/2006
EXAMINER	ART UNIT	CLASS-SUBCLASS			
FRIDIE JR, WILLMON	3722	407-040000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 John J. Prizzi

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Kennametal Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Latrobe, PA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 502867 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Typed or printed name

John J. Prizzi

Date October 31, 2005

Registration No. 29,970

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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